

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CURTIS PERRY,	:	
Plaintiff,	:	
	:	
v.	:	Civil No. 2:20-cv-02542-JMG
	:	
WELL-PATH, <i>et al.</i> ,	:	
Defendants.	:	

ORDER

AND NOW, this 24th day of May, 2023, upon consideration of *Pro Se* Plaintiff Perry's Second Motion for an Extension of Time to File a Reply to Defendants' Motion to Dismiss (ECF No. 46); Perry's Motion for Leave to File a Fourth Amended Complaint (ECF No. 49); the Commonwealth Defendants' Motion to Dismiss (ECF No. 38); the Medical Defendants' Motion for Entry of Judgment of Non Pros (ECF No. 54); and the Medical Defendants' Motion to Dismiss, (ECF No. 48), any responses, replies, exhibits, and appendices thereto, and for the reasons provided in the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that Perry's Motion for Leave to File a Fourth Amended Complaint (ECF No. 49), is **DENIED**.

IT IS FURTHER ORDERED that Perry's Second Motion for an Extension of Time to File a Reply to Defendants' Motion to Dismiss (ECF No. 46) is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that Defendants Deputy Superintendent Mandy Sipple; Correctional Health Care Administrator Brittany Huner; Director of Bureau of Pennsylvania Department of Corrections (DOC) Health Care Services Joseph J. Silva; and the Pennsylvania DOC (collectively, the "Commonwealth Defendants")'s Motion to Dismiss (ECF No. 38) is **GRANTED**. Perry's claims against the Commonwealth Defendants are **HEREBY DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that the Medical Defendants' Motion to Enter Judgment of Non Pros (ECF No. 54) is **DENIED**.

IT IS FURTHER ORDERED that Defendants CCS and Dr. Wiener's Estate's Motion to Dismiss (ECF No. 48) is **GRANTED**. Perry's claims against CCS are **HEREBY DISMISSED WITH PREJUDICE**, and Perry's claims against Dr. Wiener's Estate are **DISMISSED WITHOUT PREJUDICE**.

BY THE COURT:

/s/ John M. Gallagher
JOHN M. GALLAGHER
United States District Court Judge